

**REMARKS****I. Status of the Claims:**

Claims 1-21 are pending in this application. Claims 5, 6, 8, 10-11 and 16-19 have been withdrawn from consideration due to an election of species requirement.

By this Amendment, claims 1-3, 12-15 and 21 have been amended, claim 20 has been canceled without prejudice or disclaimer, and claims 22-25 have been newly added. No new matter is believed to have been added by the Amendment. Upon entry of this Amendment, claims 1-19 and 21-25 would be pending.

**II. Claim Objections**

Claim 14 is objected to as containing language lacking antecedent basis. This claim has been amended to address the Examiner's concerns. Accordingly, reconsideration and withdrawal of the objection of this claim is respectfully requested.

**III. Rejections Under 35 U.S.C. § 102:****A. Grieser:**

Claims 1-4, 7, 9, 12, 20, and 21 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Grieser et al (USP 5,641,240).

Claim 1, as amended, is directed to a Z-type fastener having a base extension tab, a fastening aperture engaging portion facing in the direction in which the extension block extends, and an extension block that extends in a lateral direction opposite that of the base extension tab and that includes a bore configured to accept an elongated part of a securing bolt. When the Z-type fastener is engaged with a first assembly element by inserting said Z-type fastener into and through a fastening aperture of the first assembly element, the base extension

tab is configured to contact an interior wall of the first assembly element, whereas the extension block is configured to contact an exterior wall of the first assembly element, and the fastening aperture engaging portion is configured to contact the first assembly element in the side plane of a fastening aperture.

That is, to engage the first assembly, the fastener is inserted into and through the fastening aperture. When engaged, the fastening aperture engaging portion (facing in the direction in which the extension block extends) is configured to contact the first assembly element in the side plane of the aperture and the extension block is configured to contact an exterior wall of the first assembly element. An example of such a fastener is shown and describes in the specification with reference to Figs. 5A and 5B.

On the contrary, Grieser discloses a bracket that is used with drawers and includes a tongue which slides into a groove. Grieser as relied upon by the Examiner does not disclose or suggest a fastening aperture engaging portion which faces in the direction in which the extension block extends and contacts the first assembly element. Grieser is also silent as to the extension block being configured to contact an exterior wall of the first assembly element.

Furthermore, Grieser does not disclose or suggest that the fastener is engaged to the first assembly by inserting the fastener into and through the aperture of the first assembly. For example, with reference to Fig. 8, it can be seen that the first side wall 74 and the second side wall 76 contact simultaneously the corresponding first and second side walls (not marked) of the groove 98 in the drawer side 94. For such a structure, the tongue 62 of the bracket 10 has to be slid into the groove 98 from the end surface of the drawer side 94 to its final position. In other words, the groove 98 must be made all way along to the length of the drawer side 94 (perpendicular to the paper in Fig. 8) to receive the tongue 62. See Grieser, col. 3, lines 9-13.

In view of the foregoing, claim 1 and its dependent claims are not anticipated by Grieser and are distinguishable over the same. For similar reasons, claim 12 and its dependent claims are also not anticipated by Grieser and are distinguishable over the same.

**B. Palumbo:**

Claims 1-4, 12-15, 20, and 21 have been under 35 U.S.C. §102(b) as being allegedly anticipated by Palumbo (USP 3,970,399).

As noted above, claim 1 as amended is directed to a Z-type fastener in which the extension block is configured to contact an exterior wall of the first assembly element.

On the contrary, Palumbo as relied upon by the Examiner shows essentially a T-type fastener for use in toy structure. As shown in the drawings in Palumbo as well as the Office Action, the portion alleged to teach the extension block in Palumbo is not configured to contact an exterior wall of the first assembly when the fastener is engaged. As such, Palumbo does not disclose or suggest a Z-type fastener which contacts an interior wall and exterior wall of the first assembly and a side plane of the fastening aperture when engaged, as claimed.

In view of the foregoing, claim 1 and its dependent claims are not anticipated by Palumbo and are distinguishable over the same. For similar reasons, claim 12 and its dependent claims are also not anticipated by Palumbo and are distinguishable over the same.

**CONCLUSION**

Based on the foregoing amendments and remarks, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 0403-4107US1.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 0403-4107US1.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: 4/12/06By: 

James Hwa  
Registration No. 42,680  
(202) 857-7887 Telephone  
(202) 857-7929 Facsimile

**Correspondence Address:**

MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101